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IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to specific Territories not covered by other agenda items

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Ms. Riitta RESCH (Finland)

I. INTRODUCTION

1. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-second session the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" and to refer to the Special Political and Decolonization Committee (Fourth Committee) those chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to specific Territories.

2. The chapters of the report of the Special Committee (A/52/23)[1] concerning the Territories that were not covered by other agenda items related to the following Territories:

[1] To be issued in Official Records of the General Assembly, Fifty-second Session, Supplement No. 23 (A/52/23).

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Territory	Relevant chapter of the report of the Special Committee
Gibraltar New Caledonia Western Sahara	A/52/23 (Part V), chapter IX
American Samoa Anguilla Bermuda British Virgin Islands Cayman Islands Guam Montserrat Pitcairn St. Helena Tokelau Turks and Caicos Islands United States Virgin Islands	A/52/23 (Part VI), chapter X

3. At its 2nd meeting, on 30 September 1997, the Fourth Committee decided to hold a general debate covering agenda items 18, 90, 91, 92 and 12 and 93, on the understanding that individual proposals on matters covered by those items would be considered separately. The general debate and the hearing of petitioners on the items was held at the 3rd to 7th and 9th meetings, on 6, 8, 9, 10, 13 and 27 October (see A/C.4/52/SR.3-7 and 9). The Committee took action on item 18 at its 9th and 11th meetings, on 27 October and 4 November (see A/C.4/52/SR.9 and 11).

4. For its consideration of the item, the Committee had before it the report of the Secretary-General on the question of Western Sahara (A/52/364 and Add.1).

5. At the 3rd meeting, on 6 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples made a statement (see A/C.4/52/SR.3), in which he gave an account of the relevant activities of the Special Committee during 1997 and drew attention to the chapters of the report of the Special Committee referred to in paragraph 2 above, containing, inter alia, the related draft resolutions submitted by the Special Committee for the consideration of the Fourth Committee, and to the relevant working papers of the Special Committee (A/AC.109/2071, 2072, 2074-2078, 2080-2082, 2084, 2086-2088 and 2090).

6. At the same meeting, the representative of Papua New Guinea made a statement in his capacity as Chairman of the Special Committee (see A/C.4/52/SR.3).

7. The Fourth Committee granted the following requests for hearing in connection with its consideration of the item:

Petitioner	Meeting at which request for hearing was granted
Senator Mark Charfauros, on behalf of the twenty-fourth Guam Legislature (A/C.4/52/2/Add.5)	3rd
Ms. Hope Cristobal, Organization of People for Indigenous Rights (A/C.4/52/2)	3rd
Mr. Jose Ulloa Garrido, Nasion Chamoru (A/C.4/52/2)	3rd
Ms. Patricia Garrido, Ancestral Lawnowners Coalition of Guam (A/C.4/52/2/Add.2)	3rd
Mr. Ronald Teehan, Guam Landowners Association (A/C.4/52/2/Add.1)	3rd
Congressman Robert A. Underwood, Member for Guam of the House of Representatives, Congress of the United States of America (A/C.4/52/2/Add.4)	3rd
Mr. Ahmed Boukhari, Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro (Frente POLISARIO) (A/C.4/52/4/Add.2)	4th
Mr. Felipe Briones Vives, Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui (A/C.4/52/4/Add.4)	4th
Mr. Carlyle Corbin, Representative for External Affairs, Government of the United States Virgin Islands (A/C.4/52/5)	4th
Mr. Jean Paul Lecoq, Mayor of Gonfreville l'Orcher, France, on behalf of a number of French elected officials (A/C.4/52/4)	4th
Ms. Teresa K. Smith de Cherif, Sahara Fund, Inc. (A/C.4/52/4/Add.3)	4th
Mr. Patrick San Nicholas, Chamorro Tribe of the Mariana Islands (A/C.4/52/2/Add.7)	6th
Ms. Donna Winslow, on behalf of the Front de libération nationale kanak socialiste (A/C.4/52/6)	7th

8. The Committee heard petitioners as follows: Mr. Carlyle Corbin, Representative for External Affairs, Government of the United States Virgin Islands, Mr. Jean Paul Lecoq, Mayor of Gonfreville l'Orcher, France, on behalf of a number of French elected officials, Mr. Felipe Briones Vives, Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui, Mr. Ahmed Boukhari, Frente POLISARIO, and Ms. Teresa K. Smith de Cherif, Sahara Fund, Inc., at the 5th meeting, on 9 October (see A/C.4/52/SR.5); Congressman Robert A. Underwood, Member for Guam of the House of Representatives, Congress of the United States of America, Senator Mark Charfauros, on behalf of the twenty-fourth Guam Legislature, Ms. Hope Cristobal, Organization of People for Indigenous Rights, Mr. Ronald Teehan, Guam Landowners Association, Mr. Jose Ulloa Garrido, Nasion Chamoru, Ms. Patricia Garrido, Ancestral Landowners Coalition of Guam, and Mr. Patrick San Nicholas, Chamorro Tribe of the Mariana Islands, at the 6th meeting, on 10 October (see A/C.4/52/SR.6); and Ms. Donna Winslow, on behalf of the Front de libération nationale kanak socialiste, at the 9th meeting, on 27 October (see A/C.4/52/SR.9).

9. With the Committee's consent and in accordance with established practice, the Honourable Peter Caruana, Chief Minister of Gibraltar, made a statement at the 5th meeting, on 9 October (see A/C.4/52/SR.5).

10. With the Committee's consent and in accordance with established practice, the representative of the Governor of Guam made a statement at the 6th meeting, on 10 October (see A/C.4/52/SR.6).

CONSIDERATION OF PROPOSALS

II. Draft resolution A/C.4/52/L.4 and Rev.1

11. At the 4th meeting, on 8 October, the representative of Papua New Guinea, on behalf of Antigua and Barbuda, Argentina, Chile, Côte d'Ivoire, Cuba, Fiji, Grenada, Islamic Republic of Iran, Mali, the Marshall Islands, Papua New Guinea, Paraguay, Portugal, Saint Lucia, Samoa, Solomon Islands, Spain, the Syrian Arab Republic, Uruguay and Vanuatu introduced a draft resolution entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" (A/C.4/52/L.4), which read:

"The General Assembly,

"Recalling its resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960, 43/47 of 22 November 1988, as well as all other relevant United Nations resolutions and decisions,

"Recognizing that decolonization is a major political success of the United Nations,

"Convinced that the process of decolonization has not been completed,

"Mindful of the statement made by the Secretary-General on 17 March 1997 regarding the administrative reforms of the Secretariat; section 2, Political affairs, of the proposed programme budget for the

biennium 1998-1999;[2] and the report of the Secretary-General entitled 'United Nations reforms: measures and proposals',[3]

"Noting the resolution entitled 'Decolonization programme in the United Nations system' adopted by consensus by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on 6 June 1997,[4]

"Noting also the letter dated 18 September 1997 from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples addressed to the Secretary-General,[5]

"Reaffirming the political nature and substance of the mandate of the Special Committee,

"Concerned that the proposed administrative changes could jeopardize, downgrade and undermine the United Nations decolonization programme,

"1. Urges the Secretary-General to avail the Decolonization Branch of all necessary and adequate resources until the completion of the International Decade for the Eradication of Colonialism;

"2. Also urges the Secretary-General to maintain the Decolonization Branch and all its functions pertaining to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to the Special Political and Decolonization Committee (Fourth Committee) in the Department of Political Affairs."

12. On 22 October, the sponsors of draft resolution A/C.4/52/L.4, joined by Algeria, the Bahamas, Bolivia, the Democratic Republic of the Congo, Ecuador, Iraq, Namibia, New Zealand, South Africa, the United Republic of Tanzania and Venezuela, submitted a revised draft resolution entitled "Decolonization programme of the United Nations system" (A/C.4/52/L.4/Rev.1), in which the words "Also urges" in operative paragraph 2 were replaced by the words "Welcomes the expressed willingness of the Secretary-General to take into account the concerns of Member States, and, in this context, urges".

13. Subsequently, Jamaica, Lebanon, Mauritius, Swaziland and Trinidad and Tobago joined in sponsoring the revised draft resolution.

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[2] Official Records of the General Assembly, Fifty-second Session, Supplement No. 6 (A/52/6/Rev.1), vol. I.

[3] A/52/303.

[4] A/AC.109/2094.

[5] A/52/379.

14. At the 9th meeting, on 27 October, the representative of Papua New Guinea made a statement on behalf of the sponsors of the draft resolution, and announced that draft resolution A/C.4/52/L.4/Rev.1 had been withdrawn.

B. Proposals relating to specific Territories

15. At the 9th meeting, on 27 October, the Secretary of the Committee made a statement, in accordance with rule 153 of the rules of procedure of the General Assembly, on the programme budget implications of the proposals relating to Western Sahara, New Caledonia, American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands (see A/C.4/52/SR.9).

1. Western Sahara

16. At its 9th meeting, on 27 October, the Committee had before it a draft resolution entitled "Question of Western Sahara" (A/C.4/52/L.5), submitted by the Chairman.

17. At the same meeting, the Committee adopted draft resolution A/C.4/52/L.5 without a vote (see para. 31, draft resolution I).

18. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of Luxembourg (on behalf of the States Members of the United Nations that are members of the European Union and Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Lithuania, Norway, Poland, Romania, Slovakia and Slovenia) and Morocco.

2. New Caledonia

19. At its 9th meeting, on 27 October, following statements by the representatives of France and Papua New Guinea, the Committee adopted, without objection, the draft resolution entitled "Question of New Caledonia" contained in document A/52/23 (Part V), chapter IX, paragraph 31 (see para. 31, draft resolution II).

3. Gibraltar

20. At its 9th meeting, on 27 October, the Committee had before it a draft decision entitled "Question of Gibraltar" (A/C.4/52/L.3), submitted by the Chairman.

21. At the same meeting, the Committee adopted draft decision A/C.4/52/L.3 without a vote (see para. 32).

4. American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, Turks and Caicos Islands and United States Virgin Islands

22. The Committee had before it consolidated draft resolutions proposed by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/52/23 (Part VI), chap. X, para. 20).

23. At the 9th meeting, on 27 October, the representative of the United Kingdom of Great Britain and Northern Ireland orally proposed amendments to section IX, on St. Helena, of consolidated draft resolution B, by which the word "rising" before the word "unemployment" in the sixth preambular paragraph would be deleted and the words "and the joint action of the administering Power and the territorial Government to deal with it" would be added at the end of the paragraph.

24. At the same meeting, the Committee adopted the oral amendments to section IX of draft resolution B without a vote.

25. Also at the 9th meeting, the representative of the United States of America made a statement in the course of which he orally proposed amendments to section I, on American Samoa, of draft resolution B, by which two new preambular paragraphs would be inserted before the first preambular paragraph, reading:

"Noting the report by the administering Power that most American Samoan leaders express satisfaction with the island's present relationship with the United States of America,

"Noting also the non-participation of representatives of the people of American Samoa in the last three regional seminars."

26. At the same meeting, statements in connection with the amendments proposed by the United States of America were made by the representatives of Papua New Guinea (in his capacity as Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples), Cuba, India and the United States of America (see A/C.4/52/SR.9).

27. At the same meeting, the Committee decided, on the proposal of the representatives of India and Papua New Guinea, to postpone action on the draft resolution to a later meeting.

28. At the 11th meeting, on 4 November, the representative of the Syrian Arab Republic, in his capacity as Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and on behalf of the Special Committee, made a statement in the course of which he made the following oral revisions to the draft resolutions:

Draft resolution A

(a) In the twentieth preambular paragraph, the words "to hear the views of the representatives of the Territories as well as Governments and organizations in the region, in order" were deleted before the words "to review";

(b) In the twenty-first preambular paragraph, the words "including the representatives of the Territories" were deleted after the words "appropriate sources";

(c) In the twenty-second preambular paragraph, the words "the Special Committee considers" were inserted after the words "Mindful also in this connection that" and the words "is a helpful means" were replaced by the words "as a helpful means";

(d) In operative paragraph 3, the word "updated" was deleted before the words "information and reports";

Draft resolution B, section I, American Samoa

(e) Two new preambular paragraphs were inserted before the first preambular paragraph, reading:

> "Noting the report by the administering Power that most American Samoan leaders express satisfaction with the island's present relationship with the United States of America,
>
> "Noting also the non-participation of representatives of the people of American Samoa in the last three regional seminars";

Consequently, the existing fourth preambular paragraph was deleted;

(f) In the third (former first) preambular paragraph, the word "Noting" was replaced by the words "Noting further".

29. At the same meeting, the Committee adopted the oral revisions to the draft resolutions without a vote.

30. Also at the same meeting, following a statement by the representative of the United States of America, the Committee adopted the draft resolutions, as a whole, as orally revised, without a vote (see para. 31, draft resolution III).

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

31. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 51/143 of 13 December 1996,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to the proposals of the Secretary-General of the United Nations and the then Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Council approved the settlement plan for Western Sahara,

Recalling further all the Security Council and General Assembly resolutions relating to the question of Western Sahara,

Taking note with satisfaction of the entry into force of the ceasefire in accordance with the proposal of the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan,

Taking note with satisfaction of the agreements reached by the two parties during their private direct talks aiming at the implementation of the settlement plan[6] and stressing the importance it attaches to a full, fair and faithful implementation of the settlement plan and the agreements aiming at its implementation,

Taking note of Security Council resolution 1131 (1997) of 29 September 1997,

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[6] S/1997/742 and Add.1.

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[7]

Having also examined the report of the Secretary-General,[8]

1. Takes note of the report of the Secretary-General;

2. Takes note with satisfaction of the agreements reached between the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro for the implementation of the settlement plan during their private direct talks under the auspices of Mr. James Baker III, the Personal Envoy of the Secretary-General, and urges the parties to implement those agreements fully and faithfully;

3. Urges the two parties to continue their cooperation with the Secretary-General and his Personal Envoy and to refrain from undertaking anything that would undermine the implementation of the settlement plan and the agreements reached for its implementation;

4. Commends the Secretary-General and his Personal Envoy for their efforts in reaching these agreements as well as the two parties for the cooperation they have shown, and urges them to continue this cooperation in order to facilitate the speedy implementation of the settlement plan;

5. Reaffirms the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan;

6. Reiterates its support for further efforts of the Secretary-General for the organization and the supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in conformity with Security Council resolutions 658 (1990) and 690 (1991), by which the Council approved the settlement plan for Western Sahara;

7. Takes note of Security Council resolution 1131 (1997);

8. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the positive ongoing implementation of the settlement plan, and to report thereon to the General Assembly at its fifty-third session;

9. Invites the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution.

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[7] Official Records of the General Assembly, Fifty-second Session, Supplement No. 23 (A/52/23), chap. IX.

[8] A/52/364 and Add.1.

DRAFT RESOLUTION II

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[9]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Welcoming the strengthening of the process of review of the Matignon Accords[10] through the increased frequency of coordination meetings,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. Urges all the parties involved, in the interest of all the people of New Caledonia and building on the positive outcome of the mid-term review of the Matignon Accords, to maintain their dialogue in a spirit of harmony;

2. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Matignon Accords, which are based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

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[9] Official Records of the General Assembly, Fifty-second Session, Supplement No. 23 (A/52/23), chap. IX.

[10] See A/AC.109/1000, paras. 9-14.

3. Welcomes measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon Accords;

4. Also welcomes the importance attached by the parties to the Matignon Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

5. Acknowledges the contribution of the Melanesian Cultural Centre to the protection of the indigenous culture of New Caledonia;

6. Notes the positive initiatives aimed at protecting New Caledonia's natural environment, notably the 'Zonéco' operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

7. Acknowledges the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the South Pacific Forum;

8. Welcomes, in particular, in this regard, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the South Pacific Forum;

9. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of this question at its next session and to report thereon to the General Assembly at its fifty-third session.

DRAFT RESOLUTION III

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands

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GENERAL

The General Assembly,

Having considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter 'the Territories',

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[11]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-first session on the individual Territories covered by the present resolution,

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Recalling its resolution 1541 (XV) of 15 December 1960, containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

Expressing its concern that thirty-seven years after the adoption of the Declaration there still remains a number of Non-Self-Governing Territories,

Acknowledging the significant achievements by the international community towards the eradication of colonialism in accordance with the Declaration, and conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by the year 2000,

Taking note of the positive constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information, while also acknowledging the need for recognition to be given to expressions of self-determination by the peoples of the Territories consistent with practice under the Charter,

Recognizing that in the decolonization process there is no alternative to the principle of self-determination as enunciated by the General Assembly in its resolutions 1514 (XV), 1541 (XV) and other resolutions,

Noting with appreciation the continuing exemplary cooperation of New Zealand, as an administering Power, in the work of the Special Committee, and welcoming the recent constitutional developments in Tokelau,

Welcoming the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland that it continues to take seriously its obligations under the Charter to develop self-government in the dependent Territories and, in cooperation with the locally elected Governments, to ensure

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[11] Official Records of the General Assembly, Fifty-second Session, Supplement No. 23 (A/52/23), chap. X.

that their constitutional frameworks continue to meet the wishes of the people, and the emphasis that it is ultimately for the peoples of the Territories to decide their future status,

Welcoming also the stated position of the Government of the United States of America that it supports fully the principles of decolonization and takes seriously its obligations under the Charter to promote to the utmost the well-being of the inhabitants of the Territories under United States administration,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Aware of the usefulness both to the Territories and to the Special Committee of the participation of appointed and elected representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must not take place without the active involvement and participation of the people of that Territory,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in resolutions 1514 (XV), 1541 (XV) and other resolutions of the General Assembly,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, and considering that the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting that the Special Committee held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997, a Caribbean regional seminar to review the political, economic and social conditions in the Territories,[12]

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[12] See A/AC.109/2089.

Mindful that in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for the Committee to be apprised by the administering Powers, and to receive information from other appropriate sources, concerning the wishes and aspirations of the peoples of the Territories,

Mindful also in this connection that the Special Committee considers the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, as a helpful means to fulfil its mandate, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful further that some Territories have not had any United Nations visiting mission for a long period of time, and that no such visiting missions have been sent to some of the Territories,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and regional institutions such as the Caribbean Development Bank,

1. Reaffirms the inalienable right of the peoples of the Territories to self-determination, including, if they so wish, independence, in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. Reaffirms also that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with legitimate political status options, including those defined in resolution 1541 (XV);

3. Requests the administering Powers to transmit to the Secretary-General information called for under Article 73 e of the Charter and other information and reports, including reports on the wishes and aspirations of the peoples of the Territories regarding their future political status as expressed in fair and free referendums and other forms of popular consultation, as well as the results of any informed and democratic processes consistent with practice under the Charter that indicate the clear and freely expressed wish of the people to change the existing status of the Territories;

4. Stresses the importance for the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to be apprised of the views and

wishes of the peoples of the Territories and to enhance its understanding of their conditions;

5. Reaffirms that United Nations visiting missions to the Territories at an appropriate time and in consultation with the administering Powers are an effective means of ascertaining the situation in the Territories, and requests the administering Powers and the elected representatives of the peoples of the Territories to assist the Special Committee in this regard;

6. Reaffirms also the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. Requests the administering Powers, in consultation with the peoples of the Territories, to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

8. Calls upon the administering Powers, in cooperation with the respective territorial Governments, to continue to take all necessary measures to counter problems related to drug trafficking, money laundering and other offences;

9. Stresses that the eradication of colonialism by the year 2000 requires the full and constructive cooperation of all parties concerned;

10. Takes note of the particular circumstances that prevail in the Territories concerned, and encourages the political evolution in them towards self-determination;

11. Urges Member States to contribute to the efforts of the United Nations to usher in the twenty-first century in a world free of colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. Invites the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of the Territories;

13. Decides to continue the examination of the question of the small Territories and to report thereon to the General Assembly at its fifty-second session with recommendations on appropriate ways to assist the peoples of the Territories to exercise their right to self-determination.

B

INDIVIDUAL TERRITORIES

The General Assembly,

Referring to resolution A above,

I. American Samoa

Noting the report by the administering Power that most American Samoan leaders express satisfaction with the island's present relationship with the United States of America,

Noting also the non-participation of representatives of the people of American Samoa in the last three regional seminars,

Noting further that the Government of the Territory continues to have significant financial, budgetary and internal control problems and that the Territory's deficit and financial condition are compounded by the high demand for government services from the rapidly growing population, a limited economic and tax base and recent natural disasters,

Noting also that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical facilities and other infrastructural requirements,

Aware of the efforts of the Government of the Territory to control and reduce expenditures, while continuing its programme of expanding and diversifying the local economy,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Calls upon the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory;

II. Anguilla

Conscious of the commitment of both the Government of Anguilla and the administering Power to a new and closer policy of dialogue and partnership through the Country Policy Plan for 1993-1997,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre

for investors, by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

Noting the need for continued cooperation between the administering Power and the territorial Government in tackling the problems of drug trafficking and money laundering,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Calls upon the administering Power and all States, organizations and United Nations agencies to continue to assist the Territory in social and economic development;

III. Bermuda

Noting the results of the independence referendum held on 16 August 1995,

Conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory,

Noting the measures taken by the Government to combat racism and the plan to set up a Commission for Unity and Racial Equality,

Noting also the report of the intended closure of the foreign military bases and installations in the Territory,

Taking into consideration the statement made in October 1995 by the Finance Minister on the transfer of those lands for development projects,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Calls upon the administering Power to continue its programmes of socio-economic development of the Territory;

3. Requests the administering Power to elaborate, in consultation with the territorial Government, programmes of development specifically intended to alleviate the economic, social and environmental consequences of the closure of certain military bases and installations in the Territory;

IV. British Virgin Islands

Noting the completion of the constitutional review in the Territory and the coming into force of the amended Constitution, and noting also the results of the general elections held on 20 February 1995,

Noting also the results of the constitutional review of 1993-1994, which made it clear that a prerequisite to independence must be a constitutionally expressed wish by the people as a result of a referendum,

Taking note of the statement made in 1995 by the Chief Minister of the British Virgin Islands that the Territory was ready for constitutional and political advancement towards full internal self-government and that the administering Power should assist through the gradual transfer of power to elected territorial representatives,

Noting that the Territory is emerging as one of the world's leading offshore financial centres,

Noting also the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money laundering,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Also requests the administering Power, the specialized agencies and other organizations of the United Nations system and all financial institutions to continue to provide assistance to the Territory for socio-economic development and the development of human resources, bearing in mind the vulnerability of the Territory to external factors;

V. Cayman Islands

Noting the constitutional review of 1992-1993, according to which the population of the Cayman Islands expressed the sentiment that the existing relations with the United Kingdom of Great Britain and Northern Ireland should be maintained and that the current status of the Territory should not be altered,

Aware that the Territory has one of the highest per capita incomes in the region, a stable political climate and virtually no unemployment,

Noting the actions taken by the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking, money laundering and related activities,

Noting the measures taken by the authorities to deal with those problems,

Noting also that the Territory has emerged as one of the world's leading offshore financial centres,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Also requests the administering Power, the specialized agencies and other organizations of the United Nations system to continue to provide the territorial Government with all required expertise to enable it to achieve its socio-economic aims;

3. Calls upon the administering Power and the territorial Government to continue to cooperate to counter problems related to money laundering, smuggling of funds and other related crimes, as well as drug trafficking;

4. Requests the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

VI. Guam

Noting with interest the statement made and the information on the political and economic situation in Guam provided by the representative of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[12]

Recalling that, in a referendum held in 1987, the people of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for internal self-government for Guam and recognition of the right of the people of Guam to self-determination for the Territory,

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples is concerned, pending the expression of the will of the Chamorro people and taking into account their legitimate rights and interests,

Aware of the continued negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act and on the future status of the Territory, with particular emphasis on the question of the evolution of the relationship between the United States of America and Guam,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Taking note of the proposed closing and realigning of four United States Navy installations on Guam and the request for the establishment of a transition period to develop some of the closed facilities as commercial enterprises,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[13]

1. Calls upon the administering Power to take into consideration the expressed will of the Chamorro people as endorsed by the people of Guam, encourages the administering Power and the territorial Government of Guam to continue the negotiations on this matter, and requests the administering Power to inform the Secretary-General of progress to this end;

2. Requests the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. Also requests the administering Power, in cooperation with the territorial Government, to continue the orderly transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

4. Further requests the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the people of Guam, including the Chamorro people, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the immigration issue;

5. Requests the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises by the people of Guam, including the Chamorro people;

6. Also requests the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture and other viable activities;

VII. Montserrat

Noting with interest the statements made and the information on the political and economic situation in Montserrat provided by the elected

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[13] See A/AC.109/2058, para. 33 (20).

representatives of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[12]

Noting that the last visiting mission took place in 1982,

Noting also the functioning of a democratic process in Montserrat, and that general elections were held in the Territory in November 1996,

Taking note of the reported statement of the Chief Minister that his preference was for independence within a political union with the Organization of Eastern Caribbean States and that self-reliance was more of a priority than independence,

Noting with concern the dire consequences of a volcanic eruption which led to the evacuation of a third of the Territory's population to safe areas of the island and which continues to have a negative impact upon the economy of the island,

Noting the efforts of the administering Power and the Government of the Territory to meet the emergency situation caused by the volcanic eruption, including the implementation of a wide range of contingency measures for both the private and the public sectors in Montserrat,

Noting also the coordinated response measures taken by the United Nations Development Programme and the assistance of the United Nations disaster management team,

Noting with deep concern that a substantial number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Calls upon the administering Power, the specialized agencies and other organizations of the United Nations system as well as regional and other organizations to provide urgent emergency assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII. Pitcairn

Taking into account the unique nature of Pitcairn in terms of population and area,

Expressing its satisfaction with the continued economic and social advancement of the Territory, as well as with the improvement of its communications with the outside world and its management plan to address conservation issues,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Also requests the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

IX. St. Helena

Taking into account the unique character of St. Helena, its population and its natural resources,

Aware of the request by the Legislative Council of St. Helena that the administering Power conduct a constitutional review in the Territory,

Noting the statement of 1995 by the administering Power that the Governor of the island would be ready to enter into debate on a constitutional review of St. Helena,

Aware of the establishment by the Government of the Territory of the Development Agency in 1995 to encourage private sector commercial development on the island,

Also aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of St. Helena, in particular in the sphere of food production,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. Notes that the administering Power has taken note of various statements made by members of the Legislative Council of St. Helena about the Constitution and is prepared to discuss them further with the people of St. Helena, and also notes that the Commonwealth Parliamentary Association recently sent a delegation to study the Constitution and its application with the Legislative Council;

2. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

3. Requests the administering Power and relevant regional and international organizations to continue to support the efforts of the territorial Government to address the socio-economic development of the Territory;

X. Tokelau

Noting with interest the statement made and the information on the political and economic situation in Tokelau provided by the representative of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[12]

Recalling the solemn declaration on the future status of Tokelau delivered by the Ulu-o-Tokelau (the highest authority on Tokelau) on 30 July 1994, that an act of self-determination in Tokelau is now under active consideration, together with the Constitution of a self-governing Tokelau, and that the present preference of Tokelau is for a status of free association with New Zealand,

Recalling also the emphasis placed in the solemn declaration on the terms of Tokelau's intended free association relationship with New Zealand, including the expectation that the form of help Tokelau could continue to expect from New Zealand in promoting the well-being of its people, besides its external interests, would be clearly established in the framework of that relationship,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme and the International Telecommunication Union,

Recalling the dispatch in 1994 of a United Nations visiting mission to Tokelau,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories,

Noting also that, as a case study pointing to successful decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

1. Notes that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. Also notes Tokelau's desire to move at its own pace towards an act of self-determination;

3. Commends Tokelau for seeking on the basis of wide consultation with its people a form of national government that reflects its unique traditions and environment, and for charting its own constitutional course;

4. Acknowledges the collaboration between New Zealand and Tokelau regarding the Tokelau Amendment Act 1996, which provides Tokelau's national Government with a legislative power, supplementing the executive power delegated in 1994;

5. Also acknowledges Tokelau's need for reassurance, given that local resources cannot adequately cover the material side of self-determination, and the ongoing responsibility of Tokelau's external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

6. Welcomes the assurances of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

7. Invites the administering Power and United Nations agencies to continue their assistance to the social and economic development of Tokelau;

XI. Turks and Caicos Islands

Noting with interest the statements made and the information on the political and economic situation in the Turks and Caicos Islands provided by the Cabinet Minister as well as a member of the legislature from the opposition of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[12]

Noting the establishment in November 1995 of the Action Committee for Political Independence, formed by prominent political figures from different parties, and its stated goal of educating the population in the disadvantages of the present colonial status and the benefits of independence,

Noting also the efforts by the Government of the Territory to strengthen financial management in the public sector, including efforts to increase revenue,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration,

Noting the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money laundering,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Invites the administering Power to take fully into account the wishes and interests of the Government and the people of the Turks and Caicos Islands in the governance of the Territory;

3. Calls upon the administering Power and the relevant regional and international organizations to continue to provide assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

4. Calls upon the administering Power and the territorial Government to continue to cooperate to counter problems related to money laundering, smuggling of funds and other related crimes, as well as drug trafficking;

XII. United States Virgin Islands

Noting with interest the statement made and the information on the political and economic situation in the United States Virgin Islands provided by the representative of the Governor of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[11]

Noting that general elections were held in November 1994,

Noting also that 27.5 per cent of the electorate participated in the referendum on the political status of the Territory held on 11 October 1993, that 80.4 per cent of those who voted supported the existing territorial status arrangements with the United States of America and that the referendum left the status issue undecided,

Noting further the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States,

Noting the necessity of further diversifying the Territory's economy,

Welcoming the conclusion of the discussion between the Government of the Territory and the administering Power on the question of Water Island,

Noting the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Noting with satisfaction the interest of the Territory in joining the United Nations International Drug Control Programme as a full participant,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Requests the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. Also requests the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

3. Further requests the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States and the Caribbean Community;

4. Welcomes the conclusion of the negotiations between the administering Power and the territorial Government on the question of Water Island.

32. The Special Political and Decolonization Committee (Fourth Committee) also recommends to the General Assembly the adoption of the following draft decision:

* * *

Question of Gibraltar

The General Assembly, recalling its decision 51/430 of 13 December 1996, and recalling at the same time that the statement agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland at Brussels on 27 November 1984[14] stipulates, inter alia, the following:

> "The establishment of a negotiating process aimed at overcoming all the differences between them over Gibraltar and at promoting cooperation on a mutually beneficial basis on economic, cultural, touristic, aviation, military and environmental matters. Both sides accept that the issues of sovereignty will be discussed in that process. The British Government will fully maintain its commitment to honour the wishes of the people of Gibraltar as set out in the preamble of the 1969 Constitution",

takes note of the fact that, as part of this process, the Ministers for Foreign Affairs of Spain and the United Kingdom of Great Britain and Northern Ireland hold annual meetings alternately in each capital, the most recent of which was held in London on 22 January 1997, and urges both Governments to continue their negotiations with the object of reaching a definitive solution to the problem of Gibraltar in the light of relevant resolutions of the General Assembly and in the spirit of the Charter of the United Nations.

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[14] A/39/732, annex.